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.5	Changes-Adoptions
(a)	Centralized Definitions
	The definitions which pertain to the assistance unit (AU) composition are general to AFDC and centralized in one location in Section 80-301.
(b)	Degree of Relatedness
	Regulations extend the degree of relatedness that a relative must meet to be a caretaker relative to include all of the relatives currently allowed and those with the prefix half- in front of that level of relatedness, i.e., half-cousin. (See Section 82-808.1.)
(c)	Verification of Relatedness
	Regulations provide specific requirements met to document the relatedness of the caretaker relative to the eligible child. (See Section 82-808.13)
(d)	Separate Assistance
	Regulations clarify that two AUs shall not be established when the children are half-siblings. (See Section 82-820.32.)

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| (e) | Essential Persons -
Limited to
Stepparents and ASPs | Regulations make specific that only stepparents or alternatively parents (ASPs) may be considered sentenced essential persons. (See Section 82-828.23.) |
| (f) | Separate Federal -
State Pregnant Women
Regulations | Regulations separate the requirements for aiding pregnant women under the federal AFDC program and the state AFDC program. (See Sections 82-836.1 and 88-410.) |
| (g) | Biological Relatives | Regulations specify that relinquishment of a child for adoption or termination of parental rights do not sever the relatedness ties of the biological relatives of the child when determining a caretaker relative. (See Section 82-808.1.) |

.6 Changes-Repeals

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|-----|--|---|
| (a) | Institutional Status | The regulations for institutional status are repealed. (Chapter 42-500) |
| (b) | AFDC 30 Days Before
Return of Foster
Care Child | The regulation which provided AFDC to the caretaker relative 30 days before the return of a child from foster care has been repealed. (Section 44-203.115b) |
| (c) | Special Need Payment
For Child 30 Days
Before Return from
Foster Care | The regulation which provided special need payments to children who were expected to return from foster care to the home of the caretaker relative within 30 days is repealed. (Section 44-267) |
| (d) | One Assistance Unit | The regulations which provided for establishing more than one AU are repealed. This section is not needed because of the mandatory inclusion regulation. (Section 44-205.31) |

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| (e) | Declining Assistance | The regulation which allowed a person to decline assistance after eligibility had been determined is repealed. (Section 44-205.42) |
| (f) | Essential Person -
Unemployed Stepparent | The requirement that a stepparent be unemployed to be eligible to be an essential person is repealed. (Section 44-206.312a) |
| (g) | Families Excluded
From the AU | The regulation which listed those families who are excluded from the AU is repealed except for the striker provisions. (Section 44-206.21) |
| .7 | Regulations Not Affected
By This Package | These regulations are not affected by this package and will be amended later. |
| (a) | Alternatively
Sentenced Parent | The regulation in Section 44-203.213 is retained to continue to provide that a convicted offender parent (ASP) may be a caretaker relative. |
| (b) | Available Income | The regulations in Section 44-206.1(d)(3) which require that a person be excluded from an AU for failure to seek available income are retained. |
| (c) | Father of Unborn | The regulation in Section 44-205.62 which provides that an unaided father of an unborn is treated as an excluded parent, is retained. |
| (d) | Lump Sum | The regulations in Sections 44-205.71 and 44-206.22 are retained to continue to provide rules concerning the AU's lump sum period of ineligibility. |
| (e) | Newborns | The regulations in Section 44-205.63 are retained to continue to provide the regulations for adding a newborn to an AU. |

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| (f) Strikers | The regulations in Sections 44-206.1(f) and 44-206.21 are retained to continue to provide for ineligibility for a person who is participating in a strike. |
| .8 Reason for Changes | This regulation package implements Federal Action Transmittal SSA-AT-86-01 which provided policies on treatment of AUs. In addition, these regulations reflect the regulation writing standards adopted by SDSS for AFDC regulations. |
| .9 Notice of Action Changes | Messages which are changed or added as a result of the package are: M40-118A, M40-118B, M40-118C, M40-118D, M40-118E, M43-119B, M44-203E, M44-205G, M44-205H, M44-205I, M82-820A, M82-820B, M82-820C, and M82-820D. |

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NOTE: Authority cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code.
Reference: Sections 10553, 10554, and 10604, Welfare and Institutions Code.

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TABLE OF CONTENTS**CHAPTER 80-300 DEFINITIONS AND FORMS**

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CHAPTER 80-300 DEFINITIONS AND FORMS

80-301 DEFINITIONS

80-301

The following definitions apply to the regulations in Divisions 40 through 50 and 80 through 82.

- | | | | |
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| a. | (1) | Aid Payment | "Aid Payment" means any payment made to an AU. |
| | (2) | Aid to Families with Dependent Children | "AFDC" means the financial aid program for needy children and their parents or caretaker relatives when the children lack parental support and care. This term refers to the program in general, regardless of source of funding. |
| | (3) | Aid to Families with Dependent Children - Foster Care (AFDC-FC) | "AFDC-FC" means the part of the AFDC program which provides aid to children in Foster Care. |
| | (4) | Aid to Families with Dependent Children - Family Group (AFDC-FG) | "AFDC-FG" means the part of the AFDC program which provides aid to children deprived parental support due to absence, death or incapacity. |
| | (5) | Aid to Families with Dependent Children- Unemployed Parent (AFDC-U) | "AFDC-U" means the part of the AFDC program which provides aid to children deprived of parental support due to the unemployment of the principal earner. |
| | (6) | Alternatively Sentenced Parent (ASP) | "ASP" means a parent who is a convicted offender permitted to live at home while serving a court-imposed sentence that precludes the parent from providing support through paid employment. |
| | (7) | Applicant | "Applicant" means a person who requests aid or a person on whose behalf a request for aid is made. |
| | (8) | Applicant Child | "Applicant child" means a child for whom aid has been requested but whose eligibility has not yet been determined. |
| | (9) | Assistance Unit (AU) | "AU" means a group of related persons living in the same home who have been determined eligible for AFDC. |

80-301	DEFINITIONS (Continued)	80-301
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| b. | (1) | Beginning Date of Aid (BDA) | "BDA" means the effective date that cash aid starts. |
| c. | (1) | Caretaker Relative | "Caretaker relative" means a relative, related to the degree specified in Section 82-808.11, who: |
| | (A) | | Lives with a child who is part of the filing unit, and |
| | (B) | | Exercises responsibility for the day-to-day care and control of the child. |
| | (2) | Child | "Child" means a person who meets the age requirements as specified in Section 42-101. Where appropriate, "child" shall also mean "children". |
| | (3) | Collect | "Collect" means to regain AFDC funds which are overpaid to a person by using collection methods other than grant adjustments. |
| | (4) | County | "County" means the local government agency responsible for the direct administration of public assistance in that county. |

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Note: In regulations which have not been moved to Division 80, the county may be referred to as CWD or county welfare department.

HANDBOOK ENDS HERE

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| d. | (1) | Date of Application | "Date of Application" means the date the applicant or the applicant's representative signs the application or the date the county receives the signed application, whichever is later. |
| e. | (1) | Eligible Child | "Eligible child" means a child who is a member of an AU. |
| | (2) | Essential Person (EP) | "EP" means a stepparent or ASP. |

80-301 DEFINITIONS (Continued)**80-301**

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| f. | (1) | Filing Unit | "Filing unit" means the group of persons required to be on the Statement of Facts. |
| | (2) | Fingerprint Imaging | "Fingerprint Imaging" means the process that automatically scans an individual's fingerprint and produces a fingerprint image. The image is added to the statewide SFIS database. |
| g. | (1) | GAIN | "GAIN" means the Greater Avenues for Independence program which is a comprehensive statewide employment program for AFDC applicants and recipients. |
| | (2) | GED | "GED" means the General Education Development program which provides educational programs for persons no longer enrolled in public schools. |
| | (3) | Grant Adjust | "Grant Adjust" means to regain AFDC funds which were overpaid to an AU by reducing the aid payment. |
| h. | (1) | Half-Sibling | "Half-sibling" means a brother or sister having only one biological and/or adoptive parent in common with the applicant child. |

HANDBOOK BEGINS HERE

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|----|-----|-------------------------------------|--|
| i. | (1) | Immediate Need Payment | "Immediate Need Payment" means an aid payment made in advance of a completed determination of eligibility for AFDC when specific criteria are met. |
| | (2) | Intentional Program Violation (IPV) | "IPV" means an Intentional Program Violation, (See Section 20-351) which is a determination made by a state or federal court, including any determination made on the basis of a plea of guilty or nolo contendere, or pursuant to an administrative disqualification hearing that an individual has intentionally:

(A) Made a false or misleading statement or misrepresented, concealed, or withheld facts; or |

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- (B) Committed any act intended to mislead, misrepresent, conceal, or withhold facts or propound a falsity; and
- (C) Committed these acts to establish or maintain CalWORKs eligibility, or to increase or prevent a reduction in the amount of the CalWORKs grant.

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j. (Reserved)

k. (Reserved)

l. (Reserved)

m. (1) Mandatory Inclusion

"Mandatory inclusion" means the requirement that a parent, sibling or half-sibling be included in a filing unit or AU with the applicant or eligible child.

(2) Medical Verification of Pregnancy

"Medical verification of pregnancy" means a written statement from a physician, physician's assistant, state certified nurse midwife, nurse practitioner or by designated medical or clinic personnel with access to the patient's medical record that provides information sufficient to substantiate the diagnosis and estimated delivery date.

(3) Minor Parent

"Minor parent" means the father, mother or pregnant woman, married or unmarried, who is less than 18 years of age.

n. (Reserved)

o. (1) Optional Person

"Optional person" means an otherwise eligible person who is not required to be included in the filing unit or AU.

80-301 DEFINITIONS (Continued)**80-301**

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| (2) | Otherwise Eligible | "Otherwise eligible" means a status where the person has been determined to meet all eligibility requirements for aid, other than that eligibility factor being considered. |
| p. | (1) Parent | "Parent" means the biological parent, married or unmarried, of the child unless the child has been adopted or relinquished for adoption or the parental rights are terminated. If the child is adopted, the person who adopts the child is the parent. If the child is relinquished for adoption or the parental rights are terminated, that parent is no longer considered the parent except for purposes of determining a caretaker relative. |
| | (2) Photo Imaging | "Photo Imaging" means the process that automatically scans an individual's facial features and produces a facial image. The image is added to the statewide SFIS database. |
| | (3) Pregnant Woman | "Pregnant woman" means a woman (including a minor) who has provided medical verification of pregnancy to the county. |
| | (4) Public Hospital | "Public hospital" means an institution which is: |
| | (A) | Licensed or formally approved as a hospital by an officially designated state standard-setting authority for study, diagnosis, treatment of physical, emotional, or mental conditions, care of injured, disabled or sick persons, and |
| | (B) | Supported from public funds, and |
| | (C) | Managed and controlled by a unit of government. |
| q. | (Reserved) | |
| r. | (1) Recipient | "Recipient" means a person who is receiving AFDC. |
| | (A) | A person becomes a "recipient" on the date on which both of the following conditions are met: |

80-301 DEFINITIONS (Continued)**80-301**

1. the person meets all conditions of eligibility, and
2. the county signs authorization documents to approve the application for AFDC.

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- (B) An applicant who has been approved for an immediate need and/or homeless assistance payment based on his/her apparent eligibility is not considered to be a recipient, as specified in Section 40-129. In these cases, the county has not signed authorization documents to approve the AFDC application.

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- (2) Recover "Recover" means to grant adjust or collect an overpayment.
- s. (1) Sanction "Sanction" means action taken by the county resulting in ineligibility resulting from an action or lack of action by a recipient.
- (2) Second Parent "Second Parent" means the parent living in the home who is not the caretaker relative parent.
- (3) Senior Parent "Senior Parent" means the parent of a minor parent when the minor parent receives aid for his/her child or the parent of a minor pregnant woman.
- (4) Sibling "Sibling" means the brother or sister who has both parents in common with the applicant child. This includes siblings by adoption.
- (5) Sponsored Alien "Sponsored alien" means an alien:
- (A) Who is not the child of the sponsor or of the sponsor's spouse; and

80-301 **DEFINITIONS** (Continued)**80-301**

- (B) Whose entry into the United States was sponsored by a person, public or private agency or organization, which executes an affidavit of support or similar agreement on behalf of an alien as a condition of the alien's entry into the United States.
- (6) California Department of Social Services (CDSS) "CDSS" means the state department which supervises the counties in the administration of the AFDC program. Also referred to as Department.
- (7) Statement of Facts "Statement of Facts" means the CA 8 (Rev. 2/84) CA 8A (Rev. 10/89), CA 20 (Rev. 4/88), CA 22 (Rev. 10/85); CA 23 (Rev. 1/85), CA 24 (Rev. 1/85), JA2 (Rev. 4/90) or SAWS 2 (Rev. Pending) are the state required forms used to collect the information necessary to determine a family's eligibility. See Section 80-310 for title and definition of forms.
- (8) Statewide Fingerprint Imaging System (SFIS) "Statewide Fingerprint Imaging System (SFIS)" means an automated system that captures fingerprint and photo images and stores them in a statewide database.
- (9) Stepparent "Stepparent" means the person who is not the biological parent and is married to the parent of the child.
- (10) Strike "Strike" means a concerted stoppage of work by employees (including a stoppage by reason of the expiration of a collective bargaining agreement) and any concerted slowdown or other concerted interruption of operations by employees.
- (11) Striker "Striker" means an applicant or recipient who is participating in a strike on the last day of the month.
- (12) Supplemental Security Income/State Supplementary Program "SSI/SSP child" means a child who would be eligible for AFDC except that he/she is receiving SSI/SSP. SSI/SSP is the federal/state assistance program for persons who are aged, disabled or blind as authorized by Title XVI of the Social Security Act.

80-301	DEFINITIONS (Continued)	80-301
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- t. (Reserved)
- u. (Reserved)
- v. (Reserved)
- w. (Reserved)
- x. (Reserved)
- y. (Reserved)
- z. (Reserved)

NOTE: Authority cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code.

TERM	PREVIOUS CITE	REFERENCE
Aid to Families With Dependent Children (AFDC)	40-103.84	45 CFR 201.3 and Sections 10553 and 10554, Welfare and Institutions Code.
Aid to Families With Dependent Children - Foster Care (AFDC-FC)	40-103.843	Sections 10553, 10554, and 11400(a), Welfare and Institutions Code.
Aid to Families With Dependent Children - Family Group (AFDC-FG)	40-103.841	Section 11250, Welfare and Institutions Code.
Aid to Families With Dependent Children-Unemployed Parent (AFDC-U)	40-103.842	Section 11201, Welfare and Institutions Code.
Aid Payment	N/A	

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TERM	PREVIOUS CITE	REFERENCE
Alternatively Sentenced Parent (ASP)	N/A	45 CFR 233.90(c)(1)(iii).
Applicant	40-103.5	45 CFR 206.10 and Sections 11023.5 and 11051 Welfare and Institutions Code.
Applicant Child	N/A	45 CFR 206.10 and Sections 10553 and 10554, Welfare and Institutions Code.
Assistance Unit	N/A	45 CFR 233.90, 42 USCA(a)(38), and SSA-AT-86-01.
Beginning Date of Aid	N/A	Section 11266, Welfare and Institutions Code.
Caretaker Relative	N/A	42 USCA 606(a), 45 CFR 233.90(c)(1)(v), and Section 11203, Welfare and Institutions Code.
Child	N/A	45 CFR 233.90(c)(1)(i).
Collect	N/A	
County	40-103.7	Section 10058, Welfare and Institutions Code.
Date of Application	N/A	45 CFR 206.10(b)(3).
Eligible Child	44-203.11	45 CFR 233.90(c)(1)(i) and Section 11203, Welfare and Institutions Code.
Essential Person (EP)	N/A	45 CFR 233.20(a)(2)(vi) and 45 CFR 237.50(c).
Filing Unit	N/A	45 CFR 206.10(a)(1)(vii).
GAIN	N/A	45 CFR 255 and Section 11320, Welfare and Institutions Code.

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TERM	PREVIOUS CITE	REFERENCE
GED	N/A	Sections 10553 and 10554, Welfare and Institutions Code.
Grant Adjust	N/A	
Half-Sibling	N/A	45 CFR 206.10(a)(1)(vii) and 45 CFR 233.90(c)(1)(v).
Immediate Need Payment	N/A	Section 11266, Welfare and Institutions Code.
Intentional Program Violation (IPV)	N/A	Sections 10063 and 11486, Welfare and Institutions Code.
Mandatory Inclusion	N/A	45 CFR 226.10(a)(1)(viii), and Sections 10553 and 10554, Welfare and Institutions Code.
Medical Verification of Pregnancy	44-205.642	45 CFR 233.90(c)(2)(iv) and Sections 10553 and 11450, Welfare and Institutions Code.
Minor Parent	43-103.2 44-133.711	45 CFR 233.20(a)(3)(xviii) and Section 11008.14, Welfare and Institutions Code.
Optional Persons	N/A	45 CFR 233.20(a)(2)(vi) and 45 CFR 237.50(c).
Otherwise Eligible	N/A	Sections 10553, 10554, and 10604, Welfare and Institutions Code.
Parent	41-403.1	45 CFR 237.50(b)(3)(ii) and Section 11203, Welfare and Institutions Code.
Pregnant Woman	44-205.6	45 CFR 233.90(c)(2)(iv) and Section 11008.14, Welfare and Institutions Code.
Public Hospital	42-503.51	45 CFR 233.60(b)(3) and (5) and Section 11269, Welfare and Institutions Code.
Recipient	40-189.11	45 CFR 233.10(a)(1) and Section 11450, Welfare and Institutions Code.

80-301	DEFINITIONS (Continued)	80-301
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TERM	PREVIOUS CITE	REFERENCE
Recover	N/A	
Sanction	N/A	45 CFR 224.51 and 45 CFR 232.12(d)(1).
Second Parent	N/A	Sections 10553 and 10554, Welfare and Institutions Code.
Senior Parent	N/A	45 CFR 233.20 and Sections 10553 and 10554, Welfare and Institutions Code.
Sibling	N/A	Sections 10553 and 10554, Welfare and Institutions Code.
Sponsored Alien	43-119.11	45 CFR 233.20(a)(3)(xv) and 45 CFR 233.51 and Section 11008.13, Welfare and Institutions Code.
State Department of Social Services (SDSS)	N/A	Section 10054, Welfare and Institutions Code.
Statewide Fingerprint Imaging System (SFIS)	N/A	42 USC 402(a)(6) and Section 10830, Welfare and Institutions Code.
Statement of Facts	N/A	Sections 10553, 10554, and 11054, Welfare and Institutions Code.
Stepparent	43-103.3	45 CFR 233.20(a)(3)(xiv) and Section 11008.14, Welfare and Institutions Code.
Strike	41-701.21	45 CFR 233.106 and Section 11250.4, Welfare and Institutions Code.
Striker	41-701.23	45 CFR 233.106 and Section 11250.4, Welfare and Institutions Code.
SSI/SSP Child	N/A	45 CFR 233.90.

80-310 DEFINITIONS - FORMS**80-310**

The following forms apply to the regulations in Divisions 40 through 50 and 80 through 89.

a. (Reserved)

b. (Reserved)

c. (1) CA 2.1 NA

The "Child/Spousal and Medical Support Notice and Agreement" (Rev. 12/89) is used to inform the applicant of his/her responsibility to participate in the support enforcement process and of his/her right to claim exemption from participation.

 (2) CA 2.1 (Q)

The "Support Questionnaire" (Rev. 2/91) is used to collect information about the absent parent.

 (3) CA 8

The "Statement of Facts for Additional Persons" (Rev. 2/84) is used to collect the information necessary to determine eligibility when adding a person.

 (4) CA 8A

The "Statement of Facts to Add a Child Under 16 Years" (Rev. 10/89) is used to collect the information necessary to determine eligibility when adding a child.

 (5) CA 13

The "Caretaker Relative Agreement" (Rev. 10/86) is used to designate the caretaker relative as agreed by two persons who live in separate homes when both could qualify as the caretaker relative of a child.

 (6) CA 20

The "Statement of Facts Supporting Eligibility for Assistance -Redetermination" (Rev. 8/90) is used to collect the information necessary to determine eligibility at the time of the annual redetermination.

80-310 **DEFINITIONS - FORMS**
(Continued)

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| (7) | CA 22 | The "Alien Sponsor's Statement of Facts Regarding Income and Resources (Supplemental Application for Food Stamps and AFDC)" (Rev. 10/85) is the form used to collect the information about the alien sponsor necessary to determine the eligibility of an applicant who is a sponsored alien. |
| (8) | CA 23 | The "Senior Parent(s)/Legal Guardian(s) Statement of Facts" (Supplement to CA 2, Rev. 1/89) is used to collect information about the senior parent/legal guardian's income to determine a minor parent's eligibility. |
| (9) | CA 24 | The "Sponsoring Agency or Organization's Statement of Facts Regarding Ability to Meet the Alien's Needs" (Rev. 1/85) is used to collect the necessary information to determine the eligibility of an alien who is sponsored by an agency or organization. |
| (10) | CA 42 | The "Statement of Facts for Homeless Assistance (Rev. 1/96)" is used to gather information to determine eligibility for non-recurring special need for homeless assistance. |
| (11) | CA 371 | The "Referral to District Attorney" (Rev. 3/93) is used to refer cases to the District Attorney for child support enforcement purposes. |
| (12) | CCP 1 | The Declaration of Exemption From Trustline Registration and Health and Safety Self-Certification, (10/98), Recommended, is used to declare that an individual; the aunt, uncle, grandmother/father, great grandmother/father, great aunt/uncle of the child(ren) in care is exempt from licensure. |
| (13) | CCP 4 | The Health and Safety Self-Certification (For license-exempt providers), (10/98), Required (Substitutes Permitted), is used for a license-exempt child care provider who is serving a family that receives subsidized child care. Also, this form certifies that the home where child care is provided meets basic health and safety standards, including the prevention and control of infectious diseases. |

80-310 DEFINITIONS - FORMS
(Continued)

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(14) CCP 6

The Health and Safety Facility Checklist, (7/98), Required (Substitutes Permitted), is used to provide parents with a list of suggested questions to ask their child care provider to ensure that the home where care is to be provided is a safe and healthy place for their child(ren).

d. (1) DHS 6110

The Medical Insurance Form (Rev. 10/91) is used to collect information regarding medical coverage and identify third parties who may be liable to pay for medical expenses of AU members.

(2) DHS 6155

The Health Insurance Questionnaire (Rev. 10/90) is used to collect information regarding medical coverage and identify third parties who may be liable to pay for medical expenses of AU members.

e. (Reserved)

f. (1) FC 2

The "Statement of Facts Supporting Eligibility for AFDC-Foster Care (FC)" (Rev. 4/96) is used to collect information necessary to determine foster care eligibility at the time of application and redetermination.

(2) FC 18

The "Notification of AFDC-Foster Care Transfer" (Rev. 2/97) collects and transmits the information necessary to transfer a foster care case between counties.

g. through i. (Reserved)

j. (1) JA 2

The "Statement of Facts - Cash Aid and Food Stamps" (Rev. 4/90) is used to collect the information necessary to determine eligibility at the time of application and redetermination. This form replaces the CA 2.

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k. through r. (Reserved)

s. (1) SAWS 1 The "Application for Cash Aid, Food Stamps and/or Medical Assistance" (Rev. 9/90) is used to request public assistance, including AFDC.

(2) SAWS 2 The "Statement of Facts Cash Aid Food Stamps and Medical Assistance" (Rev. 4/91) is used as a multipurpose form to gather information necessary to determine eligibility for Food Stamps, AFDC and Medi-Cal.

(3) SAWS 7 The "Monthly Eligibility/Status Report" (Rev. 1/93) is used in place of the CA 7 and is mandatory in fully automated SAWS counties and optional in all other counties.

(4) SCC 6 The "Monthly Child Care Eligibility Report" (Rev. 3/95) is used to gather information monthly to determine eligibility to receive child care assistance in the Supplemental Child Care Program or the California Alternative Assistance Program.

(5) SOC 158A The "Foster Child's Data Record and AFDC-FC Certification" (Rev. 3/93) collects child-specific data necessary to determine foster care eligibility and input information into the Foster Care Information System.

t. (1) TLR 1 The California Department of Social Services Trustline Registry Application Form (Rev. 1/99), is used for license-exempt child care providers to apply to the Trustline Registry.

u. through z. (Reserved)

NOTE: Authority cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code. Reference: 45 CFR 206.10(a)(8); and Sections 10553, 11054, and 11450(b), Welfare and Institutions Code.

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